

**REMARKS**

Claims 1-6, 21 and 23-25 have been examined. Claim 5 has been canceled without prejudice.

**I. Rejection under 35 U.S.C. § 103**

The Examiner continues to maintain his position, rejecting claims 1-6 and 21 based on previous reasons set forth in the Office Action, mailed July 03, 2006. The Examiner also rejected new dependent claims 23-25 added in the Response, dated October 2, 2006. In particular, claims 1-6 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lobiondo (US 5,287,194) in view of Fan et al ("Fan", US 6,310,692) and claims 21, 23 and 24 have been rejected as being unpatentable over Lobiondo in view of Fan and Nosaki (US 5,673,373).

**A. Claim 1**

Claim 1 has been amended to include the features of claim 5. Amended claim 1 recites, inter alia, "during execution of the imaging job by the second imaging device, the imaging management devices determine whether the first imaging device is operable, and when the first imaging device is operable, the imaging management devices control so that the imaging job is executed again by the first imaging device", which the Examiner asserts is taught by Lobiondo. Applicant respectfully disagrees. Figure 4 of Lobiondo, cited by the Examiner, merely shows a print job distribution before an imaging job is executed (Col. 6, lines 50-51). Moreover, the steps illustrated in Figure 4 of Lobiondo are analogous to the steps described in column 4, lines

45-68, which the Examiner asserts teaches the printer is analyzed before the print job is printed by the printer (i.e., before the imaging job is executed). Therefore, Figure 4 at best teaches that before an imaging job is executed, a first printer capable of performing the print job is determined (steps 430 and 440) and the remainder of the print job is allocated to a second printer (steps 445 and 465). Accordingly, only after the print job is allocated, may the print job be executed.

In addition, Lobiondo does not teach or suggest that while a second image device is executing an imaging job and the first imaging device is determined to again be operable, the imaging management devices control so that the imaging job is executed again by the first imaging device. In other words, Lobiondo does not teach that the operation of the second imaging device is stopped and the operation of the first printer is resumed.

In view of the above, Lobiondo does not teach or suggest, alone or in combination with Fan, that during execution of the imaging job by the second imaging device, the imaging management devices determine whether the first imaging device is operable, and when the first imaging device is operable, the imaging management devices control so that the imaging job is executed again by the first imaging device, as required by claim 1.

Applicant submits that claim 1 is patentable for at least these reasons.

**B. Claims 2-4**

Applicant submits that claims 2-4 are patentable at least by virtue of their dependencies.

**C. Claim 5**

Since claim 5 has been canceled without prejudice or disclaimer, the rejection of the claim is moot.

**D. Claim 6**

Since claim 6 depends upon claim 1, Applicant submits that claim 6 is patentable at least by virtue of its dependency.

**E. Claim 21**

Since claim 21 has been amended to contain features that are similar to the features of claim 1, Applicant submits that claim 12 is patentable at least for reasons analogous to those presented above. In addition, Applicant submits that the Nosaki reference fails to make up for the noted deficiencies of Lobiondo and Fan, and therefore, is patentable for analogous reasons discussed in conjunction with claim 1.

**F. Claims 23-25**

Applicant submits that claims 23-25 are patentable at least by virtue of their dependencies.

**II. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.116  
U.S. Application No. 10/050,516

Attorney Docket No. Q67107

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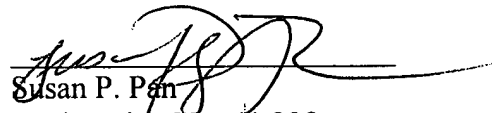
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**23373**

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